



Interview Summary: Saskatchewan Witness Panel

Background

Ashley Metz is the Deputy Minister of Intergovernmental Affairs (IGA) at the Government of Saskatchewan (“DM Metz”). In this role, she provides advice to Premier Moe (who is both premier of the province and the Minister of IGA) when he is interacting or negotiating with other levels of government. The IGA department in Saskatchewan is part of the Executive Council and Office of the Premier.

Rob Cameron is Assistant Deputy Minister, Policing and Community Safety Services, at the Ministry of Corrections, Policing, and Public Safety (“ADM Cameron”). His role is to ensure, on behalf of ministers, that there is adequate and effective policing in the province. To this end, he helps manage the provincial policing contract between Saskatchewan and the RCMP, manages and oversees policing and security issues in the province, and delivers a variety of law enforcement services in the province.

Andrew Dunn is the Executive Director of Canadian Intergovernmental Relations at the Executive Council and Office of the Premier.

Gavin Nash is the Executive Director of Court Security, Prisoner Transport, and Investigative Services at the Ministry of Corrections, Policing, and Public Safety.

The panel members were interviewed by Gabriel Poliquin and Dahlia Shuhaibar on September 2, 2022. Questions about this interview summary should be directed to Ms. Shuhaibar.

Text contained in square brackets are explanatory notes provided by Commission counsel to assist the reader.

Involvement in the events of January and February 2022

During the events of January and February 2022, DM Metz worked closely with the Premier’s office. Although as DM IGA she sometimes provides advice to other government departments, her involvement in these events was largely limited to working with the Premier’s office and her counterparts at the federal, provincial, and territorial (“FPT”) level. She participated in roundtables organized by the federal deputy minister of IGA, Michael Vandergrift (“DM Vandergrift”), which brought together deputy ministers of IGA from the provinces and territories (the “DM IGA table”). She did not, however, participate in other FPT roundtables, such as those organized by Transport Canada and Public Safety Canada.

ADM Cameron acted as a liaison between police services, law enforcement, government agencies, and a variety of other stakeholders during the relevant time period. His focus was on security and policing issues that stemmed from convoy-related



events in Saskatchewan. In January and February 2022, some of the relevant law enforcement services were external to his ministry; however, as of April 2022, they have been brought under his purview.

Convoy-related activity in Saskatchewan

[The Government of Saskatchewan's institutional report describes protest activity that occurred in that province in January and February 2022. There were two broad categories of activity: a protest near the legislative building in Regina on February 5 and 6, and protests near the Regway and North Portal Border Crossings. The panel members were not asked about every aspect of the institutional report; this summary should be read in conjunction with the report.]

In mid-January and early February, Saskatchewan began monitoring convoy-related activity in other provinces. ADM Cameron noted that Freedom Convoy passed through Regina on its way to Ottawa. As a result, Saskatchewan had an opportunity to observe some of the activity and actors prior to their arrival in Ottawa.

[The Institutional Report discusses a multi-agency group that was formed to manage the response in Saskatchewan, which was coordinated by the Provincial Emergency Operations Centre.¹] ADM Cameron explained that the multi-agency group was formed once it was clear (including through social media postings) that there was a potential for localized protest at the Regina legislature. The multi-agency group brought together various actors with a security mandate relating to the legislature, including the Regina Police Service (the police force of jurisdiction); the Provincial Capital Commission (which has a role because the legislative building is located in Wascana Park); the Ministry of Corrections, Policing and Public Safety (including the Safer Communities and Neighbourhoods program); conservation officers (at the time from the Ministry of Environment); Saskatchewan Highway Patrol officers (at the time from the Ministry of Highways); and others.

ADM Cameron stated that, in the lead-up to and during the protests, law enforcement in Saskatchewan was confident that it would be able to manage the situation. Prior to the protestors' arrival, a significant amount of planning was done at the legislature to secure access and ensure proper barricading for traffic control. Similarly, at the Regway and North Portal border crossings, the RCMP arranged areas where the protestors could gather off the thoroughfare and without blocking ports of entry. The RCMP was assisted by Saskatchewan Highway Patrol officers, who have expertise in managing heavy trucks. ADM Cameron noted that there was effective sharing of intelligence and information between police agencies (including from Alberta and the federal

¹ Institutional Report of the Government of Saskatchewan, paras 10-11.



government), such that law enforcement in Saskatchewan had a good sense of what to expect, how many trucks were coming, etc.

During the protests, Saskatchewan Highway Patrol officers used their statutory authority to address some compliance issues, although not many charges or tickets were laid. At the legislature, the Regina Police Service enforced bylaws, primarily those relating to parking, which were quite effective in dealing with trucks. ADM Cameron is not aware of any criminal charges being laid.

The Lead-Up to the Emergencies Act

ADM Cameron and Deputy Minister Larsen participated in the Federal-Provincial-Territorial Crime Prevention and Policing Committee (“FPT CPPC”) meetings on behalf of Saskatchewan. ADM Cameron does not recall the *Emergencies Act* being raised until the February 16 meeting, at which point a briefing was provided by Public Safety Canada, Transport Canada, and the federal IGA Secretariat.

At the Feb 16 FPT CPPC meeting, Public Safety and Transport Canada presented a “strategic enforcement strategy.”² The strategy essentially contained a list of statutory authorities that are commonly used by police services and law enforcement, with a focus on authorities in Ontario. ADM Cameron stated that the strategy was not used in Saskatchewan but that it contained information that was commonly known to them.

DM Metz stated that there was relatively little interaction between Saskatchewan and the federal government beyond the FPT roundtables. She noted that Saskatchewan did not require federal assistance and that it is possible that the federal government had discussions with other jurisdictions.

Consultation on the Emergencies Act

DM Metz stated that the first Saskatchewan heard of the *Emergencies Act* was at the First Ministers’ Meeting (FMM) on February 14, which she attended alongside Premier Moe. The invitation for the meeting was sent in the evening of February 13 with no indication of the subject matter, no briefing materials, and no indication of what to prepare, if anything.

[The Government of Saskatchewan produced notes taken at the FMM by Trevor Holloway, a senior intergovernmental officer at the Executive Council and Office of the Premier.³ According to the notes, Premier Moe stated that the *Emergencies Act* would not be perceived as helpful and could increase the intensity of the protests. He stated

² SAS000000019.

³ SAS000000120.



that a better path forward would be to begin removing public health measures.^{4]} DM Metz, while unable to comment further on Premier Moe's views, noted that at the time in Saskatchewan, there was a sense of general public frustration due to the months of living with the pandemic.

DM Metz explained that Saskatchewan took, and continues to take, the view that the consultation process was inadequate. It considered that the decision to invoke the *Emergencies Act* had already been made at the time of the FMM.

DM Metz contrasted the FMM with events in April 2020. At that time, the federal government was considering using the *Emergencies Act* in relation to the Covid-19 pandemic. She explained that the federal government sought feedback from the provinces and territories, who then wrote letters explaining why, in their view, there was no need for the Act to be invoked. This entire process took days. Ultimately, the federal government decided not to invoke the Act in 2020.

[The Institutional Report notes that Premier Moe texted Minister LeBlanc following the FMM.^{5]} DM Metz has not seen the text message, but understands that Premier Moe reiterated his views that the *Emergencies Act* was not necessary and may worsen frustrations across the country. To her knowledge, there were no further interactions between Saskatchewan and the federal government between the FMM and the invocation of the *Emergencies Act* later that day.

Following the Invocation of the Act

There were two meetings of the DM IGA table following the invocation of the *Emergencies Act* on February 15 and 17.⁶ DM Metz highlighted that at the February 15 meeting, it was confirmed that there had been a federal Cabinet meeting during the evening of February 13, the day before the emergency was proclaimed. Combined with the fact that the Act was invoked a few hours after the FMM on February 14, it was clear in her mind that the federal government had decided to invoke the Act prior to the consultation. She added that no one explained why the consultation process was so different from what had occurred in 2020.

ADM Cameron attended a meeting of the FPT CPPC on February 16.⁷ He noted that this was the first meeting where an explanation of how to implement the Act was given.

⁴ SAS000000120, p. 2.

⁵ Institutional Report at para 48.

⁶ Saskatchewan has produced meeting minutes from these meetings: SAS00000024 and SAS00000046.

⁷ Saskatchewan produced meeting minutes in SAS00000044.



[The meeting notes indicate that he asked who was authorized to provide enforcement under the regulations and whether conservation officers could do so.] ADM Cameron explained that he was trying to understand who could use the Act in Saskatchewan, given the tiered structure of policing in that province; it was unclear whether the Act was limited to police or could be enforced by others, such as conservation officers.

To ADM Cameron's knowledge, none of the powers in the *Emergencies Act* were used by peace officers employed by the Government of Saskatchewan. Officers continued to rely on traditional policing tools and powers, as well as provincial statutes. Conversely, he is not aware of the powers in the Act impeding any police activity in the province.

[Saskatchewan produced a draft letter dated February 22, 2022, from Premier Moe to Prime Minister Trudeau.⁸] DM Metz explained that they prepared this letter thinking they would be asked for it, but it was never sent. The letter makes two key points: there was no need for extra powers and the province did not view the consultations as sufficient or consistent with prior experience.

Lessons learned

In DM Metz's view, an important lesson learned from the events of January and February 2022 is that more robust consultation is needed before invoking the *Emergencies Act*. More consultation should be required than a meeting a few hours before the invocation. She added that there were many opportunities where the Act could have been but was not raised, given the pre-existing FPT tables that were meeting throughout this period. She re-emphasized that, in her opinion, the FMM was performative and did not constitute consultation and that the decision to invoke the *Emergencies Act* had already been taken.

ADM Cameron agreed that the lack of consultation is problematic. From a policing perspective, he also believes that the invocation of the *Emergencies Act* did not take account of the intelligence on the ground and did not adequately consider whether it was actually needed. It is also not clear to him why the Act was needed in this instance: other protests have similarly caused significant economic consequences (for example, by blocking railways), but did not require use of the Act.

⁸ SAS00000053.